



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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January 11, 2010

Ref: 8EPR-N

Lynn Kolund, District Ranger
Hell Canyon Ranger District
330 Mt. Rushmore Road
Custer, SD 57730

Re: Norbeck Wildlife Project,
Draft EIS: CEQ #20090405

Dear Mr. Kolund:

The U.S. Environmental Protection Agency (EPA) Region 8 reviewed the Draft Environmental Impact Statement (DEIS) for the Norbeck Wildlife Project in the Black Hills National Forest in accordance with EPA's responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA), 42 U.S.C Section 4332(2)(C), and Section 309 of the Clean Air Act, 42 U.S.C. Section 7609. EPA previously provided scoping comments for the project on October 4, 2007. As presented in the DEIS, the United States Department of Agriculture Forest Service (USFS), Hell Canyon Ranger District proposes to manage vegetation to benefit game animals and birds in the Norbeck Wildlife Preserve (Preserve) by selectively treating between 6,000 and 7,500 acres of vegetation within the Preserve depending on the alternative. The gross acreage of the project area is 26,727 acres administered by the USFS and is located approximately four miles northeast of the town of Custer, South Dakota.

The DEIS has an adequate discussion of water quality, riparian, and wetland existing conditions and potential impacts. The analysis of the proposed activities indicates only minor potential effects on hydrologic resources. Further, the descriptions of best management practice requirements and the historic effectiveness of these practices (including field audits; page 217) indicates adequate recognition of concerns and protection of water quality, channel morphology and wetland/riparian areas. However, EPA recommends additional information and analysis regarding potential air quality impacts and mitigation.

Air Quality

The Norbeck Wildlife Project is approximately 12 miles from Wind Cave National Park, which is a Federal Class 1 area. Under the Clean Air Act, Federal Class 1 areas require special protection of air quality and air quality related values (AQRV's), such as visibility. There are no non-attainment areas near the National Forest.

The Final Environmental Impact Statement (FEIS) should include a discussion on existing air quality near the project area. EPA recommends a summary of existing ambient air quality conditions from monitoring sites located nearby.¹

EPA has concerns about the preferred alternative, Alternative 4. This alternative proposes prescribed burning for approximately 7,500 acres, including 5,291 acres within the Black Elk Wilderness, a Sensitive Class II area. This significant prescribed fire activity may cause degradation of the air quality and visibility in the region. We recommend that the USFS incorporate the Interagency Prescribed Fire Planning and Implementation Procedures Guide (July 2008)² elements into the FEIS. A thorough discussion on the project's smoke impacts on the nearby population and Class 1 and Sensitive Class II areas should be included in the FEIS. Specifically, discussion in the FEIS should include types of smoke mitigation techniques, specific meteorological conditions favorable for mitigating prescribed fire smoke, alternatives to prescribed fires (i.e. mechanical fuel reduction methods), monitoring of smoke concentration levels and especially public notification of pending burns.

Pursuant to EPA policy and guidance, EPA rates the environmental impact of an action and the adequacy of the NEPA analysis. EPA has rated the proposed action presented in this DEIS as "EC-1" (Environmental Concerns – Adequate) under EPA's rating criteria. The "EC" rating means that our review has identified environmental impacts that should be avoided in order to fully protect the environment. The "1" rating signifies that the DEIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. An explanation of the rating criteria is enclosed.

¹ <http://www.epa.gov/air/data/index.html>
<http://www2.nature.nps.gov/air/monitoring/ads/adsreport.cfm>
<http://vista.cira.colostate.edu/views/>

² http://www.nwcg.gov/branches/ppm/fpc/archives/fire_policy/rx/rxfireguide

Thank you for the opportunity to provide comments on the DEIS. If you have any questions or would like to discuss our comments, please contact Sarah Hester of my staff at (303) 312-6008, or you may contact me at (303) 312-6004.

Sincerely,



Larry Svoboda
Director, NEPA Compliance and Review Program
Office of Ecosystems Protection and Remediation

Enclosure

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO -- Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC -- Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO -- Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU -- Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 -- Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 -- Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 -- Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

